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EXAMINER
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JACOBS, LASHONDA T

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/032,796  
Filing Date: December 26, 2001  
Appellant(s): THOMPSON ET AL.

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Michael L. Drapkin  
Reg. No. 55,127  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed September 9, 2008 appealing from the Office action mailed April 30, 2008.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,185,583	Blando	2-2001
5,799,285	Klingsman	8-1998

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### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1, 6, 11-14** and **16** are rejected under 35 U.S.C. 102(e) as being anticipated by Blando (US Pat. No. 6,185,583).

As per claim **1**, Blando discloses a method for auditing forms, the method comprising:

- issuing a request to provide a form identifier that is associated with a form ( col. 3, lines 60-65; Blando discloses providing an order request in which a form has field identifiers associated with the form)
- receiving the identifier at a host computer (col. 2, lines 44-54 and col. 3, lines 53-67; Blando discloses receiving the request with the form field identifiers and comparing the information on the form to determine whether the received information is valid);
- verifying with the host computer whether the identifier is a valid identifier for the form being used (col. 3, lines 53-67 and col. 4, lines 1-9; Blando discloses an edit engine with the validation system to determine whether the forms in the order or request are valid).

As per claim **2**, Blando discloses:

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- wherein the request is issued from a terminal having a processor that is in communication with the host computer, and further comprising logging an error if the identifier is not valid (col. 3, lines 53-67).

As per claim 3, Blando discloses:

- wherein the request is sent from the host computer to the terminal (col. 3, lines 59-67).

As per claim 5, Blando discloses:

- wherein the identifier is received at the host computer from the terminal (col. 3, lines 59-67).

As per claim 6, Blando discloses:

- wherein the host computer includes an associated database, and wherein the identifier is verified by comparing the identifier with a list of valid identifiers in the database (col. 2, lines 44-54 and col. 3, lines 53-67; Blando discloses receiving the request with the form field identifiers and comparing the information on the form to determine whether the received information is valid).

As per claim 11, Blando discloses a forms auditing system:

- host computer (col. 2, lines 44-50); and
- a database associated with the host computer, the database having a record of a set of forms and a valid identifier for each of the forms (col. 2, lines 44-50);
- wherein host computer is configured to receive an identifier in response to a request to audit a form, and to verify whether the identifier is a valid identifier for the audited form by comparing the identifier with the identifiers with the identifiers in the database, and to produce a record in the database of the comparison (col. 2, lines 44-54 and col. 3,

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lines 53-67; Blando discloses receiving the request with the form field identifiers and comparing the information on the form to determine whether the received information is valid).

As per claim **15**, Blando discloses:

- wherein the host is configured to generate an error report if the identifier of the form being audited is not valid (col. 2, lines 44-54 and col. 3, lines 53-67; Blando discloses receiving the request with the form field identifiers and comparing the information on the form to determine whether the received information is valid).

As per claim **16**, Blando discloses a forms auditing system, comprising:

- a form identifier that is associated with a form (col. 3, lines 60-65; Blando discloses providing an order request in which a form has field identifiers associated with the form);
- host computer (col. 2, lines 44-50); and
- a database associated with the host computer, the database having a record of a set of forms and a valid identifier for each of the forms (col. 2, lines 44-50);
- wherein host computer is configured to receive an identifier in response to a request to audit a form, and to verify whether the identifier is a valid identifier for the audited form by comparing the identifier with the identifiers with the identifiers in the database, and to produce a record in the database of the comparison (col. 2, lines 44-54 and col. 3, lines 53-67; Blando discloses receiving the request with the form field identifiers and comparing the information on the form to determine whether the received information is valid).

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As per claim **12**, Blando discloses:

- a terminal having a processor, wherein the terminal is configured to receive the identifier of the form being audited and to electronically send the identifier to the host computer (col. 2, lines 58-67 and col. 3, lines 59-67).

As per claim **13**, Blando discloses:

- wherein the terminal is configured to produce an audit screen having a region for inputting the identifier (col. 2, lines 58-67 and col. 3, lines 59-67).

As per claim **14**, Blando discloses:

- wherein the terminal is configured to produce an audit screen based on information sent to the terminal from the host computer (col. 2, lines 58-67 and col. 3, lines 59-67).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **4** and **7-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Blando in view of Klingman et al (hereinafter, "Klingman", U.S. Pat. No. 5,799,285).

As per claim **4**, Blando discloses the invention substantially as claims discussed above.

However, Blando does not explicitly disclose:

- where the request is issued from a customer service operator over the phone.

Klingman discloses a secure system for electronic selling comprising:

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- where the request is issued from a customer service operator over the phone (col. 9, lines 10-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blando by implementing or incorporating a customer service operator to receive and process requests over the telephone in a timely and efficient manner.

As per claim 7, Blando discloses the invention substantially as claims discussed above.

However, Blando does not explicitly disclose:

- determining whether an appropriate form has already been ordered.

Klingman discloses a secure system for electronic selling comprising:

- determining whether an appropriate form has already been ordered (col. 10, lines 47-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blando by implementing or incorporating an auditing system to automatically keep accurate records of orders that have been places in a timely and efficient manner.

As per claim 8, Blando discloses the invention substantially as claims discussed above.

However, Blando does not explicitly disclose:

- wherein if an appropriate form has not been ordered, placing an order for an appropriate form.

Klingman discloses a secure system for electronic selling comprising:

- wherein if an appropriate form has not been ordered, placing an order for an appropriate form (col. 10, lines 55-65).



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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blando by implementing or incorporating a auditing system to automatically keep accurate records of orders that have been places in a timely and efficient manner.

As per claim **9**, Blando discloses the invention substantially as claims discussed above.

However, Blando does not explicitly disclose discloses:

- evaluating whether the ordered form is received by a user.

Klingman discloses a secure system for electronic selling comprising:

- evaluating whether the ordered form is received by a user (col. 9, lines 47-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blando by implementing or incorporating a auditing system to automatically keep accurate records of orders that have been places in a timely and efficient manner.

As per claim **10**, Blando discloses:

- transmitting an identifier for a replacement form to the host computer (col. 3, lines 59-67, col. 4, lines 1-9 and lines 62-67).

#### **(10) Response to Argument**

##### **Appellants argued in substance that:**

(a) Blando do not teach or suggest receive a form identifier in response to a request to audit a form [Appeal Brief pages 5-7].

In response, Appellants' argument filed has been fully considered. Blando discloses a system and method for validating forms using rules to check data provided on the forms. The

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system receives local service orders or local services requests in which each form is processed to determine if the form is valid. The validation system checks the identifier for the incoming form by using the appropriate checker to ensure the validity of the form. The data fields are checked for accurate information to comply with the form being valid (col. 2, lines 44-54, col. 3, lines 53-67, col. 4, lines 1-9 and 55-67). By the checking the form identifier, the system is able to determine or verify that the information is accurate. Since Blando teaches a validation system that receives local services orders or local services request to ensure that the form is valid by receiving a form identifier and using the appropriate checker to verify the information, therefore Blando teaches receiving a form identifier in response to a request to audit a form.

(b) Blando do not teach or suggest verifying whether the form identifier is a valid form identifier for the form to be audited by comparing the form identifier with the valid form identifiers in the database [Appeal Brief pages 5-7].

In response, Appellants' argument filed has been fully considered. Blando discloses a system and method for validating forms using rules to check data provided on the forms. The system receives local service orders or local services requests in which each form is processed to determine if the form is valid. The validation system checks the identifier for the incoming form by using the appropriate checker to ensure the validity of the form. The forms are compared to other forms stored in the forms database. The data fields are checked for accurate information to comply with the form being valid (col. 2, lines 44-54, col. 3, lines 53-67, col. 4, lines 1-9 and 55-67). By the checking the form identifier, the system is able to determine or verify that the information is accurate. Since Blando teaches a validation system that receives local services orders or local services request to ensure that the form is valid by receiving a form identifier and

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using the appropriate checker to verify the information, therefore Blando teaches verifying whether the form identifier is a valid form identifier for the form to be audited by comparing the form identifier with the valid form identifiers in the database.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/LaShonda T Jacobs/

Primary Examiner, Art Unit 2157

Conferees:

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